

Honorable Marsha J. Pechman

**UNITED STATES DISTRICT COURT,
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

HUONG HOANG, an individual,

Plaintiff,

vs.

AMAZON.COM, INC., a Delaware
corporation, and IMDB.COM, INC., a
Delaware corporation,

Defendants.

NO. 11-cv-01709-MJP

**DECLARATION OF HUONG
HOANG IN SUPPORT OF
PLAINTIFF'S MOTION FOR
LIMITED RELIEF FROM
DEADLINES**

NOTE ON MOTION CALENDAR:

September 28, 2012

I, Huong Hoang, do declare and attest as follows:

1. I am over the age of eighteen (18) years of age and competent to testify to the matters stated herein.

2. I am an actor. I look much younger than my actual age, and I regularly play characters in their 20s and 30s in movies, television series, and industrial videos. My career has progressed steadily, and after my move to Los Angeles from Texas I began auditioning more and more frequently, and was increasingly successful landing roles. I believe that Hollywood often discriminates against actresses over the age of 40, no matter how youthful they look. Accordingly, I am careful never to reveal my actual age, my real

1 name, or my date of birth.

2 3. IMDb is used by fans and moviegoers, and also by acting industry
3 professionals. I know that casting directors regularly use IMDb to obtain information
4 about actors and actresses both before and after holding auditions. IMDb displays the
5 date of birth of some, but not all, performers.

6 4. IMDb offers the IMDbPro subscription service, designed for acting
7 professionals. IMDbPro offers advanced search capabilities and information not available
8 on the regular IMDb site. In order to use IMDbPro, I had to provide IMDb my credit-card
9 number and real name. I only agreed to do so because IMDb's terms of service and
10 privacy policy made it clear that IMDb would safeguard and not misuse my personal
11 information. IMDb's privacy policy also promised me that IMDb would inform me and
12 allow me to opt out of any information posted about me on IMDb's website.

13 5. In 2007, I contacted IMDb and asked it to remove an erroneous date of
14 birth displayed on my profile. IMDb refused. Instead, it used the private information I
15 provided when I opened an IMDbPro account to research my date of birth. IMDb then
16 displayed my actual date of birth without notice to me. I complained repeatedly, to no
17 avail.

18 6. My acting career is steadily diminishing since IMDb posted my date of
19 birth on the Internet. I have been cast in fewer roles. I am making less money. With my
20 actual age available, few directors will consider me for roles in the 20s- to 30s-age range.
21 But because I look youthful, I cannot convincingly play a woman in my 40s.

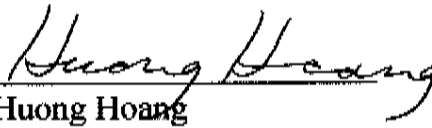
22 7. Shortly before his death, Dozier attended my deposition in Seattle—
23 although he fell asleep during the proceeding. Dozier failed to adequately investigate
24 witnesses that I requested Dozier contact. Specifically, Dozier failed to investigate
25 information about other acting professionals that have had their personal information
26 misused by IMDb and whose careers have been impacted by disclosure of their actual
27 age. Dozier told me that information would be “a distraction”.

28 8. Over my express direction, Dozier stipulated to exclude Duncan Crabtree-

1 Ireland's testimony.

2 I certify and declare under the penalty of perjury under the laws of the United
3 States that to my knowledge the foregoing is true and correct.

4
5 Dated this 20th day of September, 2012 at Los Angeles, California.

6
7 
8 Huong Hoang
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28